



DECISION MEMO
YAMPA VALLEY ELECTRIC ASSOCIATION FIBER OPTIC PERMIT
USDA FOREST SERVICE
ROUTT NATIONAL FOREST
HAHNS PEAK/BEARS EARS RANGER DISTRICT
ROUTT COUNTY, COLORADO

BACKGROUND

Yampa Valley Electric Association (YVEA) has proposed to install, operate, and maintain approximately 7,650 feet of fiber optic cable on existing aerial electrical poles along FDR 400 in Sections 7, 17, and 18, T9N, R84W, 6th PM, Routt County, Colorado. The fiber optic cable will be installed on existing authorized infrastructure to provide faster and more reliable communications to the area. The location of this line is indicated on the attached map (Exhibit A).

The existing electric line will remain in place and in service. Construction activities will occur within the currently authorized 20-foot right-of-way and staging of equipment and materials will occur within the FDR 400 road right-of-way or outside of National Forest System lands.

Construction activities will involve fitting each pole along the identified section of line with clamps to allow the addition of the fiber line. Access to the existing electric poles will be via ATV driven under the electric power lines or by foot. No other motorized access is proposed, and no ground disturbing activities are required.

DECISION

I have decided to issue a special use permit to YVEA authorizing the installation, operation, and maintenance of approximately 7,650 feet of aerial fiber optic cable located on existing authorized electric power poles. The permit will also authorize use of the existing power line 20-foot right-of-way for continued operation and maintenance.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as **CE Category: 36 CFR 220.6(e)(3) Approval, modification, or continuation of minor special uses of NFS lands that require less than 5 contiguous acres of land.**

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – The Hahns Peak/Bears Ears District Wildlife Biologist and Botanist were consulted with a determination of no impact to sensitive species and a no effect for threatened and endangered species.
- Flood plains, wetlands, or municipal watersheds – No concerns for effects to flood plains, wetlands, or municipal watersheds were identified within the project area.
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – None are present.
- Inventoried roadless areas or potential wilderness areas – None are present.
- Research natural areas – None are present.
- American Indians and Alaska Native religious or cultural sites – The Forest Archaeologist was consulted indicating no concerns for American Indian or Alaska Native religious or cultural sites.
- Archaeological sites, or historic properties or areas – The Forest Archaeologist was consulted emphasizing all construction activities occur within the existing 20 foot right of way to mitigate concerns for archaeological sites or historic properties or areas.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Medicine Bow-Routt National Forest Schedule of Proposed Actions for August 2020 and updated periodically during the analysis. District program and resource staff were consulted on the project and their design criteria were incorporated into the project design.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the goals and objectives of the Routt National Forest Land and Resource Management Plan 1997 Revision, and Management Area (MA) direction for the Upper Elk River Geographic Area, and falls under Forest Plan Management Area Prescription: 7.1 residential/forest interface.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

Projects and activities that are categorically excluded from documentation in an EA or EIS under the National Environmental Policy Act (NEPA) are no longer subject to either the post-decisional appeal (36 CFR 215) or the pre-decisional objection (36 CFR 218) processes, as stated in the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76, Section 431) and the Agricultural Act of 2014 (“Farm Bill”, Pub. L. No. 113-79, Section 8006). As a result of these two statutes, the Forest Service will no longer offer notice, comment, and appeal opportunities pursuant to 36 CFR 215 for categorically excluded projects.

IMPLEMENTATION DATE

Project implementation may occur immediately.



CONTACT

For additional information concerning this decision, contact: David Watke, Realty Specialist, Hahns Peak/Bears Ears Ranger District, 925 Weiss Drive, Steamboat Springs, CO, 80487, 970-819-2451.

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Date: 2020.11.06 08:32:25 -07'00'

RUSSELL M. BACON

Date

Forest Supervisor

Medicine Bow-Routt National Forests and Thunder Basin National Grassland

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